

REMARKS

INTRODUCTION

In accordance with the foregoing, claims 1, 6-8, 13, and 14 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 6-8, 13, 14, and 23-26 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicants request entry of this Rule 116 Response and Request for Reconsideration because:

- (a) it is believed that the amendment of claims 1, 6-8, 13, and 14 puts this application into condition for allowance as suggested by the Examiner, as the claim amendments provide antecedent basis;
- (b) the amendment of claims 1, 6-8, 13, and 14 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and/or
- (c) the amendment of claims 1, 6-8, 13 and 14 do not significantly alter the scope of the claims and place the application at least into a better form for appeal. No new features or new issues are being raised.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §112

In the Office Action at page 2, numbered item 3, claims 1, 6-8, 13-14, and 23-26 were rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. This rejection is traversed and reconsideration is requested. Applicants respectfully submit that claims 1, 6-8, and 13-14 have been amended to provide proper antecedent basis. Further, regarding claims 23-26, Applicants respectfully submit that these claims are in proper form. Accordingly, Applicants respectfully submit that claims 1, 6-8, 13-14, and 23-26 are now in condition for allowance, as stated by the Examiner on page 2 of the outstanding Office Action.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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